

# California Department of Insurance

## Fraud Division

### February 2012 Workers' Compensation Fraud Convictions

Effective January 01, 2005, Assembly Bill 2866 (Frommer) enacted Insurance Code Section 1871.9 requiring the posting of all workers' compensation fraud convictions to the CDI website.

Per section 1871.9, the department shall post all of the following information on its Internet Web site for each person, as defined in Section 19, convicted of a violation of this article (1871.4), Section 11760 or 11880, Section 3700.5 of the Labor Code or Section 487 or 550 of the Penal Code, if the violation involved workers' compensation insurance, services or benefits:

- The name, case number, county or court and other identifying information with respect to the case.
- The full name of the defendant.
- The city and county of the defendant's last known residence or business address.
- The date of conviction.
- A description of the offense.
- The amount of money alleged to have been defrauded.
- A description of the punishment imposed, including the length of any sentence of imprisonment and the amount of any fine imposed.

The information required to be posted under this section shall be maintained on the department Web site for a period of five years from the date of conviction or until the department is notified in writing by the person that the conviction has been reversed or expunged.

**Note:** If new documentation has been received that in any way affects the conviction information contained herein, please forward that documentation with an explanation to:

Bureau Chief, Workers' Compensation Program  
9342 Tech Center Drive, Suite 100  
Sacramento, CA 95826

A determination to make any changes will be made within sixty (60) days of receipt of the information.

## **February 2012 Workers' Compensation Fraud Convictions**

**CDI Case Number:** 09JW025125

**County:** Santa Barbara

**Defendant:** Robert J. Christianen

**City/County of Residence:** Buellton/Santa Barbara

**Conviction Date:** 02/15/12

**Offense:** 1 Count of IC 1871.4(a)(1) (Make or Cause to be Made a Knowingly False or Fraudulent Material Statement or Material Representation for the Purpose of Obtaining Compensation)

**Amount Allegedly Defrauded:** \$188,918.26

**Sentence:** 180 Days County Jail, 5 Years Supervised Probation, \$188,918.26 Restitution, \$800 Civil Fine, \$1,375 Probation Investigation Fee

**Case Number:** CRM020263

**County:** Merced

**Defendant:** Brandon Alan Ellison

**City/County of Residence:** Merced/Merced

**Conviction Date:** 02/17/12

**Offense:** 1 Count of LC 3700.5 (No Workers' Compensation Insurance)

**Amount Allegedly Defrauded:** N/A

**Sentence:** 90Days County Jail (60 Days Suspended), 3 Years Conditional Probation, \$2,310 Restitution, \$10,000 Criminal Fine (\$5,000 Suspended)

**CDI Case Number:** 10AW026906

**County:** Placer

**Defendant:** Mark Dale Everett

**City/County of Residence:** Rocklin/Placer

**Conviction Date:** 02/17/12

**Offense:** 1 Count of PC 550(b)(3) (Failure to Disclose) (Misdemeanor)

**Amount Allegedly Defrauded:** \$5,000

**Sentence:** 15 Days County Jail, 3 Years Conditional Probation, \$5,000 Restitution, \$120 Civil Fine, \$100 Criminal Fine

**CDI Case Number:** 11CW000673

**County:** Los Angeles

**Defendant:** Estella Flowers

**City/County of Residence:** Los Angeles/Los Angeles

**Conviction Date:** 02/17/12

**Offense:** 1 Count of PC 550(a)(1) (Knowingly Present Fraudulent Insurance Claim))

**Amount Allegedly Defrauded:** \$94,478

**Sentence:** 3 Days County Jail, 300 Hours Community Services, 5 Years Formal Probation, \$94,478 Restitution, \$240 Civil Fine

**Case Number:** M12912359

**County:** Fresno

**Defendant:** Johnny Guerrero Garcia, Jr.

**City/County of Residence:** Fresno/Fresno

**Conviction Date:** 02/28/12

**Offense:** 1 Count of LC 3700.5 (No Workers' Compensation Insurance)

**Amount Allegedly Defrauded:** N/A

**Sentence:** 1 Day County Jail, \$1,500 Restitution. Defendant enters into conditional settlement on agreed upon condition that defendant has no new arrests based on probable cause for 12 months. Conditional Settlement Hearing set for 02/27/2013

**Case Number:** CRM020282

**County:** Merced

**Defendant:** Jose Gonzalez

**City/County of Residence:** Merced/Merced

**Conviction Date:** 02/17/12

**Offense:** 1 Count of LC 3700.5 (No Workers' Compensation Insurance)

**Amount Allegedly Defrauded:** N/A

**Sentence:** 30 Days County Jail (Suspended), 36 Months Conditional Probation, \$810 Restitution, \$11,000 Criminal Fine (\$10,000 Stayed Pending Completion of Probation)

**CDI Case Number:** 10AW08385

**County:** Siskiyou

**Defendant:** Thomas Alan Gordon

**City/County of Residence:** Dunsmuir/Siskiyou

**Conviction Date:** 02/08/12

**Offense:** 1 Count of LC 3700.5 (No Workers' Compensation Insurance)

**Amount Allegedly Defrauded:** N/A

**Sentence:** \$110 Civil Fine, \$380 Criminal Fine

**CDI Case Name:** A+ Heating and Cooling

**CDI Case Number:** 10BW00112

**County:** Contra Costa

**Defendant:** Warren Michael Heffern

**City/County of Residence:** San Lorenzo/Alameda

**Conviction Date:** 02/16/12

**Offense:** 2 Counts of LC 3700.5 (No Workers' Compensation Insurance)

**Amount Allegedly Defrauded:** N/A

**Sentence:** 90 Days County Jail, 3 Years Court Probation, \$17,740 Restitution, \$100 Civil Fine

**Case Number:** M11921982

**County:** Fresno

**Defendant:** Albert Jimenez

**City/County of Residence:** Fresno/Fresno

**Conviction Date:** 02/28/12

**Offense:** 1 Count of LC 3700.5 (No Workers' Compensation Insurance)

**Amount Allegedly Defrauded:** N/A

**Sentence:** Defendant enters into conditional settlement on agreed upon condition that defendant has no new arrests based on probable cause for 12 months. Conditional Settlement Hearing set for 02/11/2013

**Case Number:** BA390683

**County:** Los Angeles

**Defendant:** Rafael A. Martinez

**City/County of Residence:** Not available at this time

**Conviction Date:** 02/16/12

**Offense:** 1 Count of IC 11880(a) (Premium Fraud)

**Amount Allegedly Defrauded:** \$32,124.83

**Sentence:** 1 Day County Jail, 100 Hours Community Service, 36 Months Summary Probation, \$32,124.83 Restitution

**CDI Case Number:** 10JW009188

**County:** Los Angeles

**Defendant:** Tamika Nelson

**City/County of Residence:** Compton/Los Angeles

**Conviction Date:** 02/21/12

**Offense:** 1 Count of IC 1871.4(a)(1) (Make or Cause to be Made a Knowingly False or Fraudulent Material Statement or Material Representation for the Purpose of Obtaining Compensation)

**Amount Allegedly Defrauded:** \$8,000

**Sentence:** 50 Hours Community Service, 5 Years Formal Probation, \$8,000 Restitution, \$240 Civil Fine (Stayed Pending Successful Completion of Probation)

**Case Number:** TCM259158

**County:** Tulare

**Defendant:** Jeffrey Paul Turner

**City/County of Residence:** Visalia/Tulare

**Conviction Date:** 02/21/12

**Offense:** 1 Count of LC 3700.5 (No Workers' Compensation Insurance)

**Amount Allegedly Defrauded:** N/A

**Sentence:** 1 Day County Jail, 60 Hours Volunteer Work at Tulare County Referral Program, 36 Months Summary Probation, \$5,000 Criminal Fine (includes Penalties)